

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

In re:

STEVEN LAWRENCE BRICKNER

CASE NO. 8:16-bk-00974-CPM

Debtor.

CHAPTER 13

**OBJECTION TO CONFIRMATION OF PLAN**

Creditor, Specialized Loan Servicing LLC as servicing agent for FV-I, Inc. in trust for Morgan Stanley Mortgage Capital Holdings LLC, objects to Debtor's Plan and states:

1. Creditor holds a secured claim by virtue of its note and mortgage on the property located at 6015 Audubon Manor Blvd, Lithia, Florida 33547 ("Collateral").
2. Creditor filed Proof of Claim Number 1-1 ("Claim") reflecting a total secured claim in the amount of \$796,978.60.
3. The total pre-petition arrearage amount is approximately \$141,206.82.
4. Debtor's Plan proposes to treat Creditor's Claim as a cure and maintain as well as proposes to mediate with Creditor through the Loss Mitigation Mediation Program.
5. Creditor objects to the inconsistent Plan treatment and in the event the Debtor intends to treat Creditor's Claim as a cure and maintain, Debtor's Plan should be amended to conform to Creditor's Claim.
6. In the event the Debtor intends Loss Mitigation Mediation, as of the date of this objection a motion for Loss Mitigation Mediation has not been filed.
7. Creditor has the right to inquire further into the Debtor's ability to be eligible for a loan modification either before or during the mediation process.
8. If a mediation is had and results in an impasse or denial of the modification,

Creditor's claim should be paid in full or the property surrendered.

9. Moreover, Debtor's Plan should account for future taxes and insurance during the pendency of the potential mediation.

10. Creditor reserves the right to supplement this Objection, as necessary.

**WHEREFORE**, Creditor respectfully requests the Court sustain its Objection and for such other and further relief as the Court deems appropriate.

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was served by CM/ECF notice and regular mail to the parties below this 16th day of March, 2016.

**BUCKLEY MADOLE, P.C.**

/s/ Austin M. Noel

Austin M. Noel, Esquire

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**VIA REGULAR MAIL**

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**VIA CM/ECF NOTICE**

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**Chapter 13 Trustee**

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